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PTO/SB/21 (09-04)

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TRANSMITTAL  
FORM  
(to be used for all correspondence after initial filing)  
Total Number of Pages in This Submission 130

Application Number	09/931,375
Filing Date	August 17, 2001
First Named Inventor	Matthew L. Warman
Art Unit	1647
Examiner Name	Seharaseyon, Jegatheesan
Attorney Docket Number	27708/04049

**ENCLOSURES (Check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pages)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>- Form PTO/SB/08A (1 page)<br>- Form PTO/SB/08B (1 page)<br>- 6 References (124 pages)<br>- Return Receipt Postcard<br>- A check in the amount of \$180.00 |
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**Remarks**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name			
Signature	<i>Pamela A. Docherty</i>		
Printed name	Pamela A. Docherty		
Date	<i>July 5, 2006</i>	Reg. No.	40,591

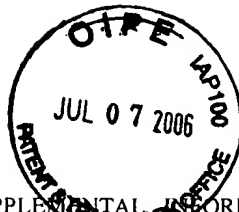
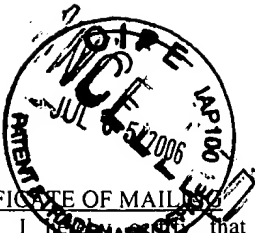
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Wendy A. Frick</i>		
Typed or printed name	Wendy A. Frick	Date	<i>7-5-06</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**CERTIFICATE OF MAILING**

I, **WARMAN, et al.**, that this **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this **5<sup>th</sup>** day of July, 2006.

Filed or Printed name of person signing this certificate:

Wendy A. Frick

Signed:

*Wendy A. Frick*

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Warman, et al.

Serial No.: 09/931,375

Filed: August 17, 2001

For: **REGULATOR GENE AND SYSTEM  
USEFUL FOR THE DIAGNOSIS AND  
THERAPY OF OSTEOPOROSIS**

) Examiner: Seharaseyon, Jegatheesan

)

)

) Art Unit: 1647

)

) Confirmation No.: 1602

)

) Attorney Docket No.: 27708/04049

)

)

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This information disclosure statement is being filed with a Request for Continued Examination (RCE). Applicants wish to disclose the following information:

**REFERENCES**

- ☒ The Applicants wish to make of record the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ Listed on the attached PTO/SB/08A and PTO/SB/08B is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be

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understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

#### **CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☐ This information disclosure statement is being filed within three months of the filing of the within application and/or **prior to a first Office Action** on the merits being received.

#### **PETITION**

- ☒ Applicants hereby request consideration of the attached information.

#### **DEPOSIT ACCOUNT**

- ☒ A check is attached in the amount of \$180.00 required under 37 § 1.17(p).
- ☐ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

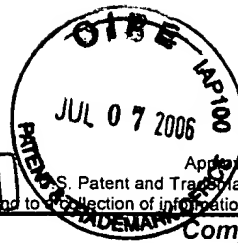
Respectfully submitted,

Date:

*July 5, 2006*

By:

*Pamela A. Docherty*  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416



PTO/SB/08A (07-05)

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Substitute for Form 449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	09/931,375
Filing Date	August 17, 2001
First Named Inventor	Matthew L. Warman
Art Unit	1647
Examiner Name	Seharaseyon, Jegatheesan
Attorney Docket Number	27708/04049

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO 98/46743	10-22-1998	The Wellcome Trust Ltd		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	09/931,375
Filing Date	August 17, 2001
First Named Inventor	Matthew L. Warman
Art Unit	1647
Examiner Name	Seharaseyon, Jegatheesan
Attorney Docket Number	27708/04049

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Supplementary Partial European Search Report dated July 26, 2004.	
		"Linkage of a Gene Causing High Bone Mass to Human Chromosome 11 (11q12-13)" by Johnson, et al., Am. J. Hum. Genet., 60:1326-1332, 1997.	
		"LDL-receptor-related proteins in Wnt signal transduction" by Tamai, et al., Nature, Vol. 407, September 28 2000, pp. 530-535.	
		"A Mutation in the LDL Receptor-Related Protein 5 Gene Results in the Autosomal Dominant High-Bone-Mass Trait" by Little, et al., Am. J. Hum. Genet. 70:11-19, 2002.	
		"LDL Receptor-Related Protein 5 (LRP5) Affects Bone Accural and Eye Development" by Gong, et al., Cell, Vol. 107, November 16, 2001, pp. 513-523.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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